



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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DONALD L. WOLFE, Director

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P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

December 20, 2007

IN REPLY PLEASE
REFER TO FILE: PD-1

TO: Each Supervisor

FROM: Donald L. Wolfe
Director of Public Works

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY BOARD MEETING-NOVEMBER 26, 2007

On November 26, 2007, my staff attended the regular Board meeting of the Alameda Corridor-East (ACE) Construction Authority. A copy of the agenda and adopted minutes of the October 22, 2007, regular Board meeting are attached. The following items were discussed at the meeting, which are of interest to the County.

Agenda Item VI—The Chief Executive Officer reported the following:

On November 29, 2007, the Metropolitan Transportation Authority (MTA) Board approved an additional \$112.8 million for the ACE Phase I projects in order to maintain MTA's share of the project cost at 17 percent based on the revised project cost estimate.

On November 13, 2007, three proposals were received in response to the Request for Proposals for design and engineering services for the San Gabriel Trench project. It is anticipated that the selection of a consultant will be made at the December ACE Board meeting.

The Southern California Association of Governments Transportation and Communication Committee approved the list of projects to be included in the financially constrained portion of the Regional Transportation Plan (RTP). New Federal Highway Administration regulations require that projects be included in the RTP financially constrained plan in order to be eligible to receive Federal funds. The list includes the ACE Phase II projects.

Agenda Item IX—The Board accepted the Nogales Street Grade Separation project (Nogales Street at Valley Boulevard) as completed and constructed in conformance with the project plans and specifications, with a final contract amount of \$17,197,181.

Each Supervisor
December 20, 2007
Page 2

Agenda Item X—The Board authorized the Chief Executive Officer to submit a grant application through the Trade Corridor Improvement Fund Program under Proposition 1B for \$350 million to fund the ACE Phase II projects.

AU:pr

C080302

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Attach.

cc: Chief Executive Office (William T Fujioka, Lari Sheehan)
Executive Office



Alameda Corridor-East Construction Authority

4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY

BOARD OF DIRECTORS

REGULAR MEETING AGENDA

Monday, November 26, 2007 – 2:00 P.M.

Irwindale City Hall

5050 Irwindale Avenue

Irwindale, CA 91706

Members of the public may comment on any item on the agenda at the time it is taken up by the Board. We ask that members of the public come forward to be recognized by the Chair and keep their remarks brief. If several persons wish to address the Board on a single item, the Chair may impose a three-minute time limit on individual remarks at the beginning of the discussion.

- | | | |
|-------|---|-----------------|
| I. | Roll Call and Introductions | |
| II. | Pledge of Allegiance | |
| III. | Approval of Minutes of Meeting of October 22, 2007 (Pages 1-4) | Action |
| IV. | Public Comment | |
| V. | Chairman's Remarks | Information |
| VI. | Chief Executive Officer's Report (Pages 5-22) | Information |
| VII. | Approval of Increased Authorization for Construction Contract Change Orders for the Ramona Blvd. Grade Separation (Pages 23-24) | Action |
| VIII. | Approval of Design Services Contract Amendment with DMJM for the Ramona Blvd. Grade Separation (Pages 25-26) | Action |
| IX. | Approval and Acceptance of Close out of Nogales Street Grade Separation Project (Pages 27-28) | Action |
| X. | Approval of Prop 1B Trade Corridor Improvement Fund (TCIF) Grant Application Submittal (Pages 29-34) | Action |
| XI. | Closed Session: The Board will adjourn to closed session in accordance with Government Code Section 54956.9 (c) Conference with Legal Counsel – Anticipated Litigation – one case | Possible Action |
| XII. | Adjournment | Action |

The ACE Construction Authority is currently constituted of seven (7) member jurisdiction; the Cities of El Monte, Industry, Montebello, San Gabriel and Pomona, the County of Los Angeles and the San Gabriel Valley Council of Governments. A San Bernardino County Council of Governments representative is an ex-officio Board member.

Each member or alternate has one vote. A quorum of the ACE Construction Authority is no less than four (4) of its total voting membership. Actions taken by the ACE Construction Authority shall be by simple majority of the members present with a quorum in attendance except for personnel actions, the annual budget, matters dealing with the Administrative Code or matters requiring subsequent approval by the SGVCOG, all of which shall require five (5) votes.



**ACE Construction Authority
Board Meeting
October 22, 2007
Minutes**

Chairman Gutierrez called the meeting to order at 2:03 PM in the Irwindale City Council Chambers, Irwindale California.

1. In attendance were:

Ernest Gutierrez, Chairman
George Hunter, Vice Chairman
Dave Spence, La Canada Flintridge, SGVCOG
Harry Baldwin, San Gabriel
Bob Bagwell, Montebello
Paul Eaton, Ex-Official, SANBAG

Staff

Rick Richmond, Chief Executive Officer
Joe Silvey, Legal Counsel
Sharon Neely, staff
Lou Cluster, staff
Girish Roy, staff
Bruce Armistead, staff

Guests

David Varnum, Congressman Miller's Office
Allan Ude, Los Angeles County Department of Public Works
Gary Neely, Assemblymember Huff's Office

2. Pledge of Allegiance

Vice Chairman Hunter led the pledge of allegiance.

3. Approval of Minutes of September 24, 2007

A motion was made to approve the meeting minutes of September 24, 2007.
M/S/C: Spence/Baldwin/Unanimous

4. Public Comment

There were no public comments.

5. Chairman's Report

Chairman Gutierrez expressed sincere condolences on the passing of fellow ACE Board Member and Industry Councilman Phil Marcellin to the family and City staff. He noted that Phil was involved with the creation of ACE since the beginning—first supporting Councilman Jack Phillips and then as his replacement on the ACE Board. He noted that ACE counted on his good humor

as well as his excellent knowledge of construction at the Board meetings as well as at the weekly trailer meetings. He noted that ACE would miss him greatly.

The Chairman advised the Board that he transmitted a letter to the Governor on behalf of the Board asking him to sign SB 717 (Perata-transportation funding bill) and that the Governor signed the bill despite opposition on October 15th.

6. Chief Executive Officer's Report

Rick Richmond provided an update on the meetings he has been attending along with other Southern California Chief Executive Officers from transportation agencies concerning the guidelines for allocating the \$2 billion Prop 1B Trade Corridor Improvement Funds (TCIF). He noted that the California Transportation Commission was expecting to adopt guidelines in November and allocate funds in December. Board Member Spence questioned what ACE shall do if CTC does not support ACE funding request; did we have fallback strategy? Mr. Richmond provided an update on working with the San Gabriel Valley legislators regarding the ACE evaluation status within the TCIF allocation process. He noted that the Caucus Chair of the SGV legislature is working with other area Legislator's on reasonable allocation principles. In addition, Mr. Richmond noted the CEO report included the construction environmental mitigation quarterly report for the period of June 1-August 31st. There are six active construction sites and ACE is in compliance with no exceptions found during the quarter. Further, Mr. Richmond noted that ACE had replaced the computers for speed/efficiency and that the surplus computers were being donated to charity. However, ACE computers were so old there was little interest. Senior Project Manager Girish Roy reviewed construction progress photos of the Brea Canyon Road and East End Avenue grade separation projects. Senior Project Manager Lou Cluster reviewed construction progress photos of the Ramona Blvd. and Sunset Ave grade separation projects. George Nomura, Program Manager reviewed program management support tasks completed or ongoing over the past month.

7. Approval of Transition Plan for In-House Program Management Support

Mr. Richmond indicated that the ACE competitively procured the program management support services in 1999 to augment agency staff. Consultant staffing needs have declined since 2003 and there are presently 11 full time equivalents supporting ACE activities. Further, Mr. Richmond noted that Bechtel did not plan to continue their contract beyond June 2008 unless ACE expected to increase their work activities. Given the current uncertainty about future funding, ACE cannot reliably project increases in contract support services. Therefore, Mr. Richmond indicated that staff was recommending an orderly transition between now and June, 2008 when the contract ends. He noted that some functions would be retained by subcontractors, others phased out and

others added to future project design activities. He summarized the timing for transition activities beginning with administrative support occurring between October and December. The Board report included job descriptions, salary ranges and an organizational chart for adding three administrative positions (Administrative Assistant and two administrative support positions to assume document control, clerical support and expanded office administration responsibilities).

Board Member Spence requested clarification on whether there was a cost impact analysis of the alternative of rebidding the contract. Mr. Richmond responded that staff had considered that option, but believes there will be a cost savings under the staff recommendation since the ACE overhead is lower than any contractor and if 're-bidding' the contract was unsuccessful, it would be extremely difficult to staff up by June. There was discussion about the overhead rates and benefits between the two options. There was discussion about the timing required to re-procure the contract. Mr. Richmond noted that he believes that will be a net savings in the FY '09 budget.

Board Member Spence made a motion to re-procure the program management contract. Motion failed due to lack of second.

A motion was made to approve staff recommendation to begin converting program management support activities to agency supported activities and begin the process by increasing ACE administrative support staff as described in the agenda (page 29). M/S/C: Baldwin/Gutierrez/Approved/Spence: abstained

8. Quarterly Project Progress Report

Mr. Richmond reviewed the key accomplishments from the quarterly progress report on page 34 of the agenda. He noted Ramona Blvd. was expected to open to the public in February. The contractors were continuing the Ramona pump station work and mechanical installation and completed the west side roadway grading and pavement. Further, he noted that the middle bridge section at East End was set in place and that they began construction of the final section of the UPRR bridge as well as continued construction of the retaining walls. At Brea Canyon-- the SCE powerline relocation was finally completed; and the railroad shoofly grading was completed at Sunset Ave.

9. Quarterly Financial Report

Rick Richmond reviewed the financial quarterly report on page 51 of the agenda. He noted that for the first quarter of the fiscal year, the Authority had expended \$6.8 million in cash expenditures for project activities and was expending less railroad force account and contractor construction funds than

anticipated. He noted that the same was true for right-of-way acquisitions budget. He expects all activities to be within budget by close of fiscal year.

10. Closed Session:

Joe Silvey, ACE Legal Counsel announced the Board would adjourn to closed session pursuant to Government Code Section 54956.9(a) to discuss existing litigation – Brutoco Engineering and Construction versus Alameda Corridor-East Construction Authority Case No. KC050714.

The Board returned from closed session and ACE Legal Counsel, Joe Silvey announced the Board approved a settlement for Case No. KC050714 for \$658,000. M/S/C: Gutierrez/Baldwin/Unanimous

11. Adjournment

The meeting was adjourned at 3:22 PM in memory of Industry Councilman and ACE Board member Phil Marcellin.



Alameda Corridor-East Construction Authority

4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Rick Richmond
Chief Executive Officer

DATE: November 26, 2007

SUBJECT: CEO Report

The following are items of note since the last meeting:

MTA Board Committee Passes Additional ACE Funding to Full Board – The MTA Board Planning and Programming Committee is recommending that the full Board approve an additional \$112.8 million for the ACE Project at their November 29 meeting. The MTA staff recommended this amount to maintain a 17% MTA share on our revised project estimate.

San Gabriel Trench Proposals – Three proposals were received on November 13 in response to our Request for Proposals for design and engineering services for the San Gabriel Trench project. We are in the process of reviewing the proposals, and anticipate bringing a recommendation for selection to the December Board meeting. The firms responding to the RFP were:

- Moffatt & Nichol, in association with HDR HNTB
- Washington Group International
- Parsons

Multi-County Goods Movement Action Plan Update – A draft executive summary has been released. ACE Phase II is included in the plan. The proposed set of recommended goods movement improvements totals more than \$50 billion for the six-county area. Seven workshops are planned in December to review the draft findings with the community. One is planned in the San Gabriel Valley on December 3rd at the South Coast Air Quality Management District office. Release of the final plan is scheduled for January with approval by March. Staff will report back on any changes to the plan or adoption schedule.

SCAG Regional Transportation Plan Update - The SCAG Transportation and Communication Committee (TCC) approved the project list to be included in the financially constrained portion of the Regional Transportation Plan (RTP). Their recommendations included the ACE Project in the financially constrained portion of the RTP update. The SCAG Board is expected to approve the RTP update for release for public comment at their 12/6 Board meeting. New regulations issued by FHWA require that projects be included in the Regional Transportation Plan financially constrained

plan in order to be eligible to receive federal funds. Staff is appreciative of the SCAG's efforts to include completion of the ACE Project.

Settlement of Ramona Blvd. Business Claim

Sherwood Florist is located at the northern corner of the intersection of Valley and Ramona Blvds. A portion of the parcel on which the florist is located was acquired for construction of the Ramona Blvd. underpass. In 2007, citing diminished gross sales due to the reduction in drive-by traffic, caused by the Ramona Blvd. underpass construction, the florist filed a lawsuit claiming inverse condemnation against ACE. The loss claimed in the lawsuit was \$240,000. ACE's response was that street access was being maintained during construction, and the reduction in drive-by traffic was not a basis for compensation.

Both ACE and the florist agreed to mediate the dispute. The mediation was held November 9th before a retired San Bernardino County judge, the Hon. LeRoy A. Simmons. Judge Simmons encouraged informal settlement of the matter and some payment to the plaintiff as a cost-efficient alternative to formal litigation. The mediation was successful. An agreement that ACE pay Ms. Ramos \$50,000, with Ms. Ramos dropping all claims, present and future, was reached and executed at the end of the mediation session. A key consideration for ACE was that formal litigation would involve an expensive "two-tiered" trial, where the questions of claim validity and valuation would be handled separately.

Community Outreach Update - Staff has conducted the following project outreach activities:

- Distributed construction alert notices in English and Spanish regarding temporary lane closures on Puente Avenue for Sunset Avenue grade separation project;
- Conducted school safety outreach presentation at Columbia Elementary School and distributed safety kits at Cherrylee Elementary School in City of El Monte;
- Staffed ACE exhibit table at Mobility 21 Transportation Summit;
- Conducted ongoing business support program, community outreach and construction coordination activities for the Brea Canyon Road, East End Avenue, Ramona Boulevard, and Sunset Avenue projects.

Contracting – Our Administrative Code delegates to the CEO the authority to approve new contracts or change orders for Board-approved contracts within certain limits, with a requirement that I report to the Board any such contract action. There were no contract actions since last month's report which affect contract value, other than those included in the monthly construction reports.

Procurement for Design and Engineering Services for the San Gabriel Trench Grade Separations Project

- On November 13, 2007, three proposals were received in response to our Request for Proposals that was issued on October 1, 2007. We are in the process of reviewing the proposals, and anticipate bringing a recommendation for selection to the December Board meeting. The firms responding to the RFP are as follows:

- Moffatt Nichol Group
- Washington Group
- Parsons Transportation Group

Construction Progress Reports – Attached are construction progress reports on the Ramona Ave., East End Ave., Temple Ave., Brea Canyon Road and Sunset Ave. projects.

Program Management Monthly Report - The Bechtel-DMJM program management support activities for the last month is attached.

ALAMEDA CORRIDOR EAST
PROJECT STATUS REPORT
RAMONA BLVD. GRADE SEPARATION



For the Month: **October 2007**

Scope:	Construct a grade separation at Ramona Blvd. in the City of El Monte
Contractor:	Brutoco Engineering & Construction, Inc.
Construction Manager:	Lim & Nascimento Engineering (LAN)
Contract Award:	September 27, 2004
Notice to Proceed:	December 15, 2004
Estimated Contract Completion:	March 3, 2008

Project Milestone Summary	Estimated Start	Estimated Completion	% Complete
Install Storm Drain System	May 2005	September 2007	87%
Install Water Line	September 2005	December 2007	79%
Prepare Shoofly	July 2005	December 2006	95%
Construct UPRR bridge foundations	September 2006	March 2007	100%
Construct UPRR bridge superstructure	May 2005	June 2007	95%
Construct Future UPRR bridge foundations	June 2007	October 2007	87%
Construct Metrolink bridge foundations	September 2006	February 2007	99%
Construct Metrolink bridge superstructure	September 2005	May 2007	96%
Build Pump Station	December 2005	December 2007	76%
Construct Retaining Walls	August 2005	February 2008	72%
Ramona Blvd. Civil Work	April 2005	February 2008	72%
Complete Landscaping/Irrigation	April 2007	March 2008	8%
Open to public		February 2008	

Financial Summary	
Original Contract Value	\$ 17,721,474.85
C.O.s Approved This Month	\$ 0.00
C.O.s Approved to Date	\$ 2,138,032.98
Current Contract Value	\$ 19,859,507.83
Total Earned to Date	\$14,722,380.64

RAMONA BOULEVARD GRADE SEPARATION PROJECT



Retaining Wall R1/R2 24" CIDH Piles
Drilling Operations (10/5/2007)

CONTINUE CONSTRUCTION OF THE FUTURE UPRR ABUTMENTS AND BENT.

STAGE 3 FUTURE UPRR BRIDGE ABUTMENT 3
GRADING OF PILE CAP STARTED AUGUST 24 AND
COMPLETED SEPTEMBER 7, 2007. FORMING PILE
CAP STARTED SEPTEMBER 11 AND COMPLETED
SEPTEMBER 26, 2007

INSTALLATION OF CIDH PILES AT BENT 2 STARTED
SEPTEMBER 4 AND COMPLETED SEPTEMBER 7,
2007. TESTING AND APPROVING CIDH PILES AT
BENT 2 STARTED SEPTEMBER 10, 2007

REMOVAL OF SHORING AND PLACEMENT OF
BACKFILL AT PUMP STATION COMPLETED
SEPTEMBER 8, 2007

CONTRACTOR **BRUTOCO CONSTRUCTION**

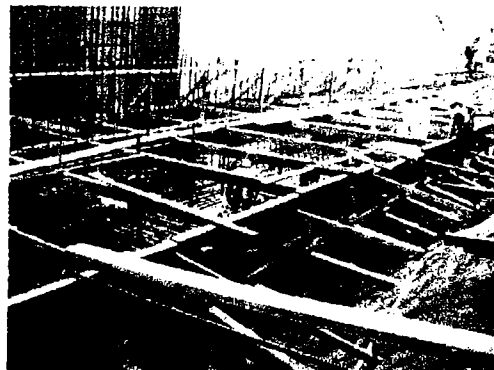
CONTRACT AWARD **DECEMBER 2004**
COMPLETION **MARCH 2008**

ORIGINAL CONTRACT **\$ 17,721,475**
CHANGE ORDERS **\$ 2,138,033**
TOTAL CONTRACT **\$ 19,859,508**

EARNED TO DATE **\$ 14,722,381**

CURRENT STAGE OF WORK

**INSTALLATION OF CIDH PILES, GRADING
AND FORMING FOOTINGS, AND
INSTALLATION OF REINFORCING STEEL
FOR RETAINING WALL R3/R4.**



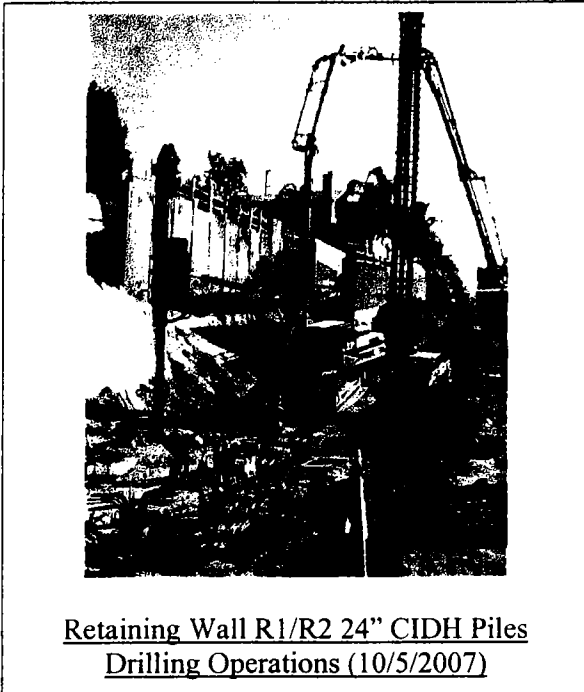
Retaining Wall R3/R4 Footing – Rebar
Installation (10/17/07)



LAN ENGINEERING
CORPORATION
CONSTRUCTION MANAGEMENT DIVISION

OCTOBER 2007

RAMONA BOULEVARD GRADE SEPARATION PROJECT



Retaining Wall R1/R2 24" CIDH Piles
Drilling Operations (10/5/2007)

CONTINUE CONSTRUCTION OF THE FUTURE UPRR ABUTMENTS AND BENT.

STAGE 3 FUTURE UPRR BRIDGE ABUTMENT 3
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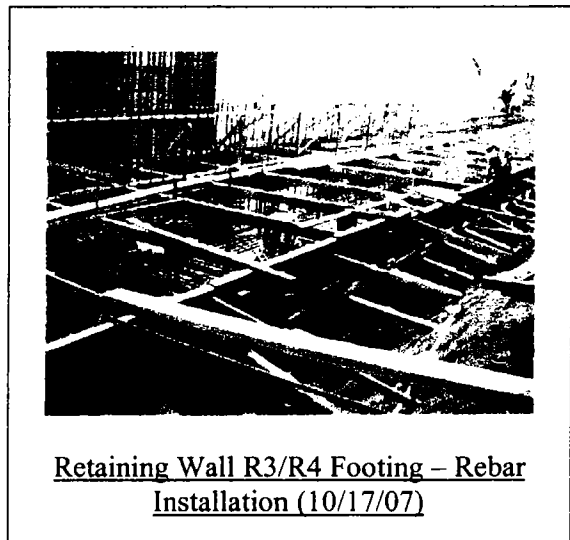
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CURRENT STAGE OF WORK

**INSTALLATION OF CIDH PILES, GRADING
AND FORMING FOOTINGS, AND
INSTALLATION OF REINFORCING STEEL
FOR RETAINING WALL R3/R4.**



Retaining Wall R3/R4 Footing – Rebar
Installation (10/17/07)



IAN ENGINEERING
CORPORATION
CONSTRUCTION MANAGEMENT DIVISION

OCTOBER 2007

ALAMEDA CORRIDOR EAST
PROJECT STATUS REPORT
TEMPLE AVENUE TRAIN DIVERSION PROJECT

For the Month: October, 2007

Scope:	For 3 rd Mainline Construct 3 new railroad bridges and 1 new traffic bridge; widen 3 existing railroad bridges; grade for new track bed and modifications of existing track beds; construct sound walls, retaining walls, and pier protection walls; install utilities or modify existing utilities; rehabilitate existing LDC well; and, construct new Audiology Clinic for Lanterman Developmental Center. For 4 th Mainline Construct 1 new traffic bridge; grade for new track bed; retaining walls, and pier protection walls; and modify existing utilities;
Contractor:	Yeager Skanska, Inc.
Construction Manager:	PB Americas
Contract Award:	January, 2005
Notice to Proceed:	May 2, 2005
4th Track CN 10 NTP	August 29, 2006
4th Track CN 10 Completion	August 29, 2007
Anticipated Substantial Completion:	October 25, 2007 (Nov 21, 2007 includes all punchlist)

Temple Ave Schedule Summary	Estimated Start	Estimated Completion	% Complete
Spadra Farm embankment & bridges*	May, 2005	April, 2006	99%*
LA Subdivision embankment	October, 2005	March, 2006	100%
LA Subdivision structures **	October, 2005	October, 2007	98%**
Lanterman Audiology Lab	May, 2005	April, 2007	100%
Alhambra Sub Passing Siding	May, 2005	DELETED	0%
4th Track CN 10 Structures	August, 2006	August, 2007	100%
4th Track CN 10 Embankment	August, 2006	August, 2007	100%

*Structure 509.71 corrective punchlist to be completed.

**Structure 28.22 corrective punchlist to be completed.

Financial Summary			
Original Contract Value	\$24,389,743		
C.O.s Approved This Month	\$ 0		
C.O.s Approved to Date	\$ 4,856,688		
Current Contract Value	\$29,246,431		
Invoiced to Date (% of revised contract)	\$28,875,183		99%

TEMPLE AVENUE TRAIN DIVERSION PROJECT

Contractor	Yeager-Skanska
Contract Award	January 2005
Limited NTP	March 2005
NTP	May, 2, 2005
Substantial Completion	May 2, 2007
Revised Substantial Completion	October 25, 2007
Punchlist Completion	November 21, 2007
Original Contract Value	\$24,389,743
Change Orders this Month	\$ 0
Amended Contract Value	\$29,246,431
Earned to Date 99%	\$28,875,483

Progress Summary

- | | |
|--|---------|
| • Spadra Farm embankment & bridges | 99% |
| • LA Subdivision embankment | 100% |
| • LA Subdivision structures | 98% |
| • Lanterman Audiology Lab | 100% |
| • Alhambra Sub Passing Siding (10%) | Deleted |
| • 4 th Track CN 10 Structures | 100% |
| • 4 th Track CN 10 Embankment | 100% |

Safety and Security Issues:

Safety:

- | | |
|---------------------------|---------------|
| • TIME LOST INJURY STATUS | None Reported |
| • INCIDENTS THIS MONTH | None Reported |

Security: Nothing to report

Initial Event Reports: Nothing to report

Work Accomplished this Month

- Continue on State Street ML1 Re-alignment
- Completed track embankment related punchlist items

Upcoming Work next Month

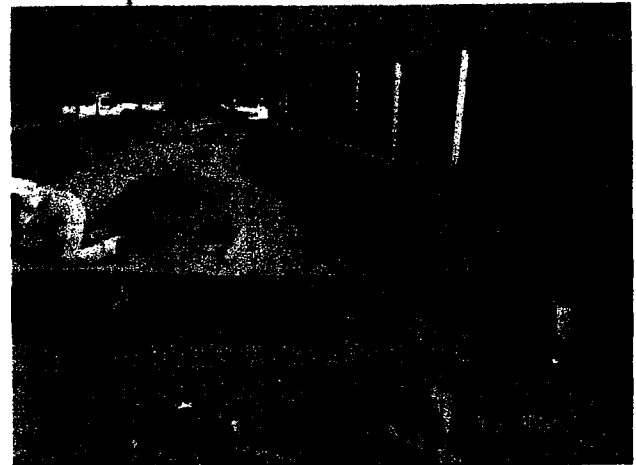
- Complete corrective work on the bearing pad gap at Br. 509.71
- Complete work on the corrective Re-alignment of State Street ML1 Bridge (Br. 28.22)

Issues

- Obtained UPRR signoff on corrective work at 28.22 and 509.71.



Temple New ML-1 Track Embankment



State Street ML-1 Bridge Re-construct Backwall



ALAMEDA CORRIDOR EAST
PROJECT STATUS REPORT
EAST END/ RESERVOIR GRADE SEPARATIONS

For the Month: October 2007

Scope:	Construct two railroad and two roadway bridges to grade separate the East End and Reservoir roadways from the railroad.
Contractor:	Ortiz Enterprises, Inc.
Construction Manager:	PB
Contract Award:	March, 2004
Notice to Proceed:	June, 2004
Estimated Completion:	Reservoir – December 2006 East End – May, 2008

Reservoir Schedule Summary	Estimated Start	Estimated Completion	% Complete
Reservoir utility	June 2004	July 2006	100%
Railroad bridge construction	February 2005	February 2006	100%
lower streets/construct retaining walls	August 2005	December 2006	100%
Storm Water Lift Station	March 2006	November 2006	99%
1 st Street bridge construction	March 2006	October 2006	100%
Open 1 st Street to traffic	December 2006	April 2007	100%
Open Reservoir Street to traffic	December 2006	December 2006	100%
East End Schedule Summary			
East End utility relocations	June 2005	June 2007	80%
Los Angeles Shoofly construction for East End	Aug 2007	Sept 2007	100%
SCE Temporary Relocation (field work)	February 2006	December 2007	100%
Verizon Permanent Relocation	April 2006	January 2007	100%
Railroad bridge construction	January 2007	May 2008	90%
Lower streets/construct retaining walls	February 2007	March 2008	80%
Storm Water Lift Station	June 2007	April 2008	50%
1 st Street bridge construction	Oct 2007	April 2008	5%
Open 1 st Street to traffic	---	May 2008	---
Open East End Avenue to traffic	---	May 2008	---
Via Pueblo School access work	June 2007	September 2007	99%

Financial Summary			
Original Contract Value	\$30,208,600		
C.O.s Approved This Month	\$ 432,482		
C.O.s Approved thru This Month	\$2,681,398		
Current Contract Value	\$32,889,998		
Invoiced to Date (% of revised contract)	\$27,270,097		83%

EAST END / RESERVOIR GRADE SEPARATION PROJECT

Contractor	Ortiz
Contract Award	March 2004
NTP	June 2004
Milestone to Reopen Reservoir	December 2006
Original Completion	August 2007
Revised Completion	May 2008
Original Contract Value	\$30,208,600
Change Orders this Month	\$ 432,482
Amended Contract Value	\$32,889,998
Earned to Date 83%	\$27,270,097

Progress Summary

• Reservoir contract:	99%
• East End Railroad Bridge:	90%
• East End Utility installation	80%
• East End Roadway Excavation	80%
• East End Retaining walls:	60%
• East End Lift Station Retaining Walls	50%
• 1 st Street Bridge @ East End	5%

Safety and Security Issues:

Safety:

• TIME LOST INJURY STATUS	None
• INCIDENTS THIS MONTH	None

Security: Nothing to report

Initial Event Reports: Nothing to report.

Issues

- Contractor claims will be submitting large value escalation claim, no submission yet.
- Girders moved during post-tensioning. Working for designer & UP acceptance prior to completing.

Work Accomplished this Month

Reservoir; No work.

East End:

- Continued construction of phase 3, RR bridge
- Continued road excavation & lagging installation
- Continued retaining wall concrete & backfill
- Continued lift station wet well walls & started dry well excavation

Upcoming Work next Month @EE

- Complete phase 3 RR bridge construction
- Complete road excavation & shoring.
- Continue RW concrete work and structural backfill
- Continue lift station concrete construction
- Continue First Street bridge foundation
- Chino lead drainage



Constructing 2'x6' RCB storm drain culvert box at Foothill Transit (looking north)



Installed RR bridge girders (3rd phase)



Constructing retaining walls and 42 in RCP storm drain system (looking north)

ALAMEDA CORRIDOR EAST
PROJECT STATUS REPORT
BREA CANYON ROAD GRADE SEPARATION



For the Month: **September 2007**

Scope:	Construct a grade separation at Brea Canyon Road in the Cities of Industry and Diamond Bar
Contractor:	Griffith Company
Construction Manager:	Lim & Nascimento Engineering
Contract Award:	April 28, 2006
Notice to Proceed:	July 5, 2006
Estimated Contract Completion:	November 18, 2008

Project Milestone Summary	Estimated Start	Estimated Completion	% Complete
Install Storm Drain System	September 2006	August 2008	61%
Install Sewer Line	July 2006	May 2007	98%
Prepare Shoofly	July 2006	October 2006	75%
Construct bridge foundations	September 2007	January 2008	33%
Construct bridge superstructure	November 2007	May 2008	22%
Construct Metrolink Access Road	July 2006	July 2007	84%
Install MWD Water Line	July 2006	March 2008	99%
Install SCE Trans & Distribution	August 2006	July 2008	85%
Build Pump Station	October 2006	May 2008	59%
Construct Retaining Walls	March 2007	August 2008	39%
Roadway Civil Work	July 2006	October 2008	35%
Complete Landscape, Irr & Lighting	August 2007	November 2008	0%
Shea Property Improvement Option	August 2006	August 2008	5%
Open to public		October 2008	

Financial Summary	
Original Contract Value	\$ 39,958,807.00
C.O.s Approved This Month	\$ 0.00
C.O.s Approved to Date	\$ 2,096,747.84
Current Contract Value	\$ 42,055,554.84

CONTRACTOR **GRIFFITH COMPANY**

CONTRACT AWARD **APRIL 28, 2006**
NTP **JULY 5, 2006**
COMPLETION **OCTOBER 2, 2008**

ORIGINAL
CONTRACT VALUE **\$ 39,958,807**

AMENDED
CONTRACT VALUE **\$ 42,055,555**

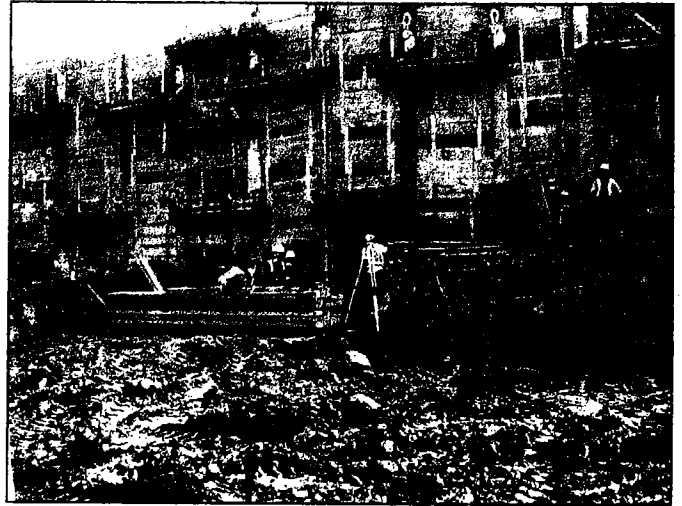
EARNED TO DATE **\$ 23,522,078**

CURRENT STAGE OF WORK **STAGE 1 THRU 3**

*PROJECT COMPLETION DATE AS OF TODAY IS 10/02/08.

TIME EXTENSION SHALL BE PLACED IN SCHEDULE WHEN CN
HAS BEEN EXECUTED. TIME IMPACT ANALYSIS FOR
FRAGNETS 1 – 6 HAD A TIME EXTENSION OF 88 DAYS. TIME
IMPACT ANALYSIS ON THE UPRR / LACSD DELAY FOR
SHOOFLY ACTIVATION HAD A TIME EXTENSION OF 46 DAYS.

EXCAVATION ON SOUTH SIDE OF TRACKS



INSTALLATION OF BRIDGE SHORING NORTH SIDE OF TRACKS

SAFETY AND SECURITY ISSUES:

SAFETY:

*TIME LOST INJURY STATUS - NONE

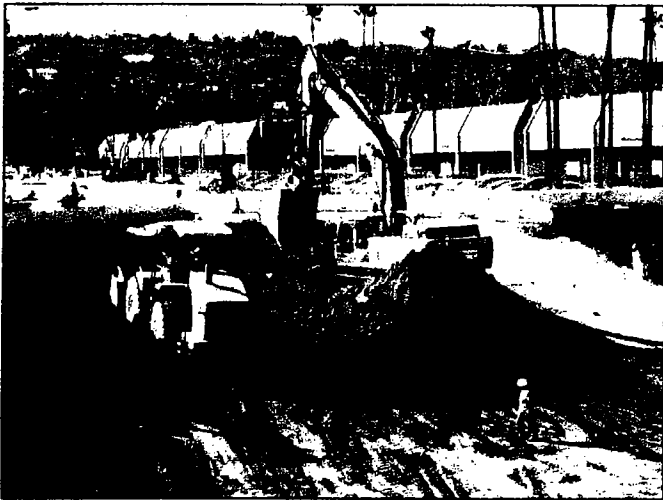
SECURITY:

*NONE

INITIAL EVENT REPORTS:

*INITIAL EVENT REPORTS – NONE

PILE DRIVING AT RETAINING WALL #2

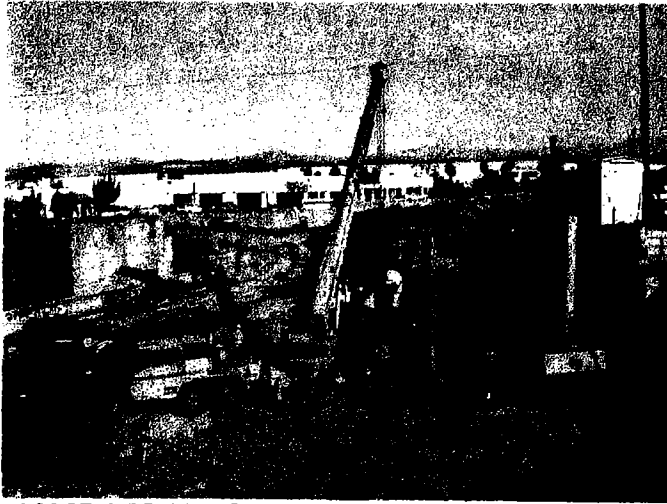


CONTRACT PROGRESS PHOTOS

1 of 1

PROJECT: ACE Brea Canyon Road Grade Separation

CONTRACT: HP21L-6303(019) / ACE Contract No. 05-02 **TAKEN BY: Kevin Cheng**



102307-1 SD Line B Jack Pit & Pipe Lifting



102307-2 SD Line C-1 Trench Cold Patch AC Backfill



102307-3 Stockpile from Bridge Excavation



102307-4 36" SD RCP Line C-1 Installed



102307-5 Griffith Repaired Fire Protection BFP Valve at CIP



102307-6 SD Line C-1 Trench at Parking Lot Light Conduit Crossing

ALAMEDA CORRIDOR EAST
PROJECT STATUS REPORT
SUNSET AVENUE GRADE SEPARATION PROJECT

For the Month: **October 2007**

Scope:	Construction of grade separations at the UPRR crossings at Orange Avenue and Sunset Avenue. Orange and Sunset Avenues will be lowered slightly and the tracks raised on embankments and two steel thru-girder bridges. California Street will be raised and reconstructed to meet the new track locations. Valley Boulevard will be reconstructed at all three intersections. Trackwork will consist of a new raised mainline track; at grade drill track and industry track connection to the north; and a temporary shoofly to the south requiring temporary closure of the northerly lane of Valley Blvd.	
Contractor:	Atkinson Contractors, LP	
Construction Manager:	PB	
Contract Award:	August 28, 2006	
Notice to Proceed:	November 14, 2006	
Original Completion:	November 18, 2009	% Complete
Pending Revised Contract Completion:	July 27, 2010	19.8

Schedule Summary	Estimated Start	Estimated Completion	% Complete
California Ave Shoofly & Street Restoration	January 2007	December 2007	95%
Railroad ROW storm drain system	February 2007	January 2009	45%
Valley Blvd Shoofly	May 2007	March 2008	20%
Drill Track	April 2008	January 2009	0%
Retaining Walls	February 2009	November 2009	0%
Sunset Avenue Bridge	August 2009	June 2010	20%
Orange Avenue Bridge	August 2009	June 2010	25%
Valley Blvd Street Restoration	August 2009	October 2009	0%
Landscaping & Irrigation	September 2009	January 2010	0%

Financial Summary			
Original Contract Value	\$41,938,421.50		
C.O.s Approved This Month	0		
C.O.s Approved to Date	\$1,205,644.55		
Current Contract Value	\$43,144,066.05		
Invoiced to Date (% of revised contract)	\$8,102,657.02		19.8%

SUNSET AVENUE GRADE SEPARATION PROJECT

Contractor	Atkinson Contractors, LP
Contract Award	August 2006
Limited NTP	November 1, 2006
NTP	November 14, 2006
Contractual Completion	November 18, 2009
Pending Revised Completion	July 27, 2010
Original Contract Value	\$41,938,421.50
Change Orders this Month	\$994,477.55
Amended Contract Value	\$43,144,066.05
Earned to Date	19.8% \$8,102,657.02

Progress Summary

• California Ave Shoofly & Street Restoration	95%
• Railroad ROW storm drain system	45%
• Valley Blvd Shoofly	20%
• Drill Track	5%
• Retaining Walls & Backfill	0%
• Sunset Avenue Bridge (includes fabrication)	20%
• Orange Avenue Bridge (includes fabrication)	25%
• Valley Blvd Street Restoration	0%
• Landscaping & Irrigation	0%

Safety and Security Issues:

Safety:

- TIME LOST INJURY STATUS None Reported
- INCIDENTS THIS MONTH
 - Contractor cut inactive UPRR signal line.
 - Contractor left open excavation by track switch.

Security: Nothing to report

Issues

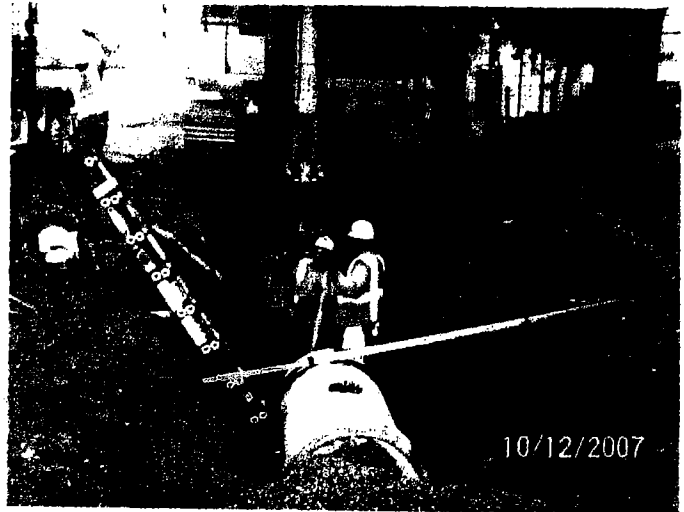
- Cannot re-open California until UPRR completes the California Shoofly.
- UPRR has not abandoned the temporary signal cable. This has added over two week's duration to the Shoofly debris removal.
- Resolve and construct Design Revision 7.
- Issue RFI on drill track soils.

Work Accomplished this Month

- Continue fabrication of Sunset Ave and Orange Ave. bridges.
- Continuing Line 'A' Storm Drain.
- Continuing Line 'C' Storm Drain.
- Continuing Grading of Main Track (CN 014).
- Began Line 'B' Storm Drain.

Upcoming Work next Month

- Valley Blvd Shoofly Drainage, Debris & Grading (CN 014 & CN 018)
- Begin Existing Storm Drain Protection (Design Rev 4 ; CN 014)
- Install Traffic Signals on North and South Sides of California Intersection and pave 2" cap on California Ave. (EPA Delay)
- Continue Main Track & Drill Track Grading
- Continue Storm Line 'A' (Design Rev 7)
- Temporary Signal Sunset Ave. & Orange Ave. (CN 019)
- Install Shoofly Draining (CN 006)



Backfilling Line 'A' Storm Drain



Installing Line 'C' Storm Drain



Concrete Shoofly Ties for California Crossing

**MONTHLY PROGRESS REPORT
ALAMEDA CORRIDOR-EAST PROGRAM MANAGEMENT SERVICES
PERIOD ENDING 10/31/07**

This report summarizes activities undertaken between October 1 and October 31, 2007.

OVERVIEW:

Work is proceeding on project implementation on several fronts, with an emphasis on:

- A contract for train detection technology evaluation and testing on the IRRIS project is in progress. Recommended technologies are currently being review.
- Sunset Avenue Grade Separation Project: A significant milestone was achieved when UPRR built and placed into service the California shoofly ("short shoofly"). This allows removal of the existing main line track and opening up of the street for new main track and drill track construction. The target for re-opening of California Avenue is early December; this will be followed by the closures of Orange and Sunset Avenues. Approved changes in the Valley shoofly design ("main" or "long" shoofly) were quantified and priced, as was a significant storm drain protect-in-place measure. Remediation of unsuitable soil conditions will be required for Valley shoofly subgrade, and the extent of this was finalized. Storm drain construction continued leading to a significant excavation in Puente Avenue which will require work area traffic control in mid-November.
- Brea Canyon Road Grade Separation Project: The contractor continued construction of retaining walls along west side of Brea Canyon road north and south of the railroad tracks; Griffith continued construction of shoring to support shoofly for construction of UPRR mainline bridge and completed installation of 42 inch storm drain connecting to pump house from Brea Canyon road north of the tracks. Griffith completed formwork and rebar placement of pump house main floor and continued electrical conduit work below the equipment floor.
- Ramona Boulevard Grade Separation Project: The contractor continued mass excavation on the east side (in the former shoofly area) and dropped rebar cages and poured drilled cast-in-drilled-hole piles for retaining wall foundations. Pump house electrical and mechanical work continued. The revised construction schedule shows a temporary closure of Stewart Street in late 2007 and opening of Ramona to traffic in February 2008.
- East End Avenue: Ortiz completed erection of UPRR LA Sub bridge girders and continued placing sub-ballast and ballast on bridge deck; Ortiz started construction of cast-in-drilled-hole concrete piles for First street bridge abutments and bent; continued retaining wall construction at East End Avenue and continued placement of rebars, formwork and concrete of pump station walls.
- A successful mediation led to an agreement on construction contract closeout for the Nogales Street underpass project.
- The Temple Ave Train Diversion construction final punch list items are in process. Submitted the request for approval to Caltrans for the construction of the remaining civil work related to the 4th Track work. The 4th Track contract has been rescheduled for bid. We currently estimate the first quarter of 2008 for advertisement.
- Prepared the documents for the San Gabriel Trench Design contract RFP. The RFP for this work was advertised in October 2007. Proposals are due in November with the selection of the design consultant in December.
- Community outreach activities continued for various projects.

BUDGET/SCHEDULE

Work is currently proceeding within schedule and budget.

COMPLETED AND ONGOING WORK ACTIVITIES

PROGRAM MANAGEMENT SCOPE

I. General Program Management & Administration Service:

A. Management and Administration

- Provided direction to PM team for accomplishment of tasks.
- Maintained progress on tasks.
- Submitted monthly invoice.
- Prepared various cost and budget reports.
- Updated project schedule.

B. Procurement

- Continued review and processing of active contract changes, amendments and documentation for the Brea Canyon, Temple Train Diversion, East End/Reservoir St., Ramona Blvd, Baldwin and Sunset grade separation projects.
- Continued preparation of bid documents for the Temple 4th Track project.
- Issued San Gabriel Trench RFP for Preliminary Engineering.

C. Quality Control Program/Value Engineering

- No activities

D. Utility Program Management

- Ongoing planning and coordination with major utility companies.
- Continued San Gabriel Trench preliminary utilities research and data collection activities.
- Continued review and update of Baldwin Ave. project utility relocation requirements.
- Continued utility relocations for the Brea Canyon Grade Separation Project.
- Continued with relocation of utilities for the Sunset Avenue Project.
- Continued with relocation of utilities for the East End/Reservoir Project.

E. Environmental Program

- Continued Mitigation Monitoring and Reporting Programs.
- IS/EA draft report for San Gabriel Trench rail lowering project completed. Currently being edited based on Caltrans/FHWA comments.
- Continued Phase I update for the San Gabriel Trench Project.

F. Permitting Support

- The Public Utilities Commission approved a petition regarding the Sunset project. An application for the Temple 4th Track project is being prepared.

G. Public Outreach

- Distributed construction alert notices in English and Spanish regarding temporary lane closures on Puente Avenue for Sunset Avenue grade separation project.
- Conducted school safety outreach presentation at Columbia Elementary School and distributed safety kits at Cherrylee Elementary School in City of El Monte.
- Staffed ACE exhibit table at Mobility 21 Transportation Summit.

- Conducted ongoing business support program, community outreach and construction coordination activities for the Brea Canyon Road, East End Avenue, Ramona Boulevard, and Sunset Avenue projects.

II. Project Management Services

- Ongoing project coordination with involved agencies/jurisdictions/UPRR.
- Providing technical direction to subconsultants.

TECHNICAL SCOPE

Right-of-Way Program and Technical Services

- Negotiations ongoing with one (1) Temple Avenue Train Diversion properties, one (1) Ramona Boulevard property, eight (8) Temple 4th Track properties, three (3) Sunset Avenue properties and seven (7) Baldwin Avenue properties.
- Continued property management of one (1) Brea Canyon property, one (1) East End Avenue property, five (5) Nogales Street properties, and thirteen (13) Reservoir Street properties.
- Responded to property owner inquiries regarding the ACE Project at Ramona Boulevard, Reservoir Street, Brea Canyon Road, Sunset Avenue and Baldwin Avenue.
- Continued liaison with Caltrans Local Programs personnel.
- Negotiating sale of "Surplus" parcels at Reservoir Street with public agencies.
- Appraisal and environmental services under contract for Baldwin Avenue.

Railroad and Shoo-fly Design

- Continued design support during construction for various projects.

Surveying and Mapping Program

- Developing Plat Maps and legal descriptions for the required properties at Sunset Avenue, and Baldwin Avenue projects.

NEXT PERIOD

Continue development of all scheduled activities.



Alameda Corridor-East Construction Authority

4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

MEMO TO: ACE Construction Authority Board Members and Alternates

FROM: Rick Richmond
Chief Executive Officer

DATE: November 26, 2007

SUBJECT: Approval of an Increased Authorization for Construction Contract Change Orders for the Ramona Boulevard Grade Separation

RECOMMENDATION: Staff recommends that the Board increase the Chief Executive Officer's change order authorization by \$1,493,860 contract value primarily to accommodate compensation to the contractor for delays, as discussed below.

BACKGROUND: In September 2004, the Board authorized a contract with Brutoco Engineering and Construction, Inc. (Brutoco) for the Ramona Boulevard grade separation project in the City of El Monte in the amount of \$17,721,474. Brutoco was given full notice to proceed on December 15, 2004. At its June 2006 meeting, the Board authorized approval of Change Order No. 8 in the amount of \$799,442.27 for construction of bridge substructure piles and abutments for a future Metrolink second track bridge. This addition to the project scope was never intended to be part of the grade separation and was fully funded by Metrolink. Therefore, the June 2006 authorization excluded change order No. 8 from the 10% limit on contract amendments delegated to the Chief Executive Officer under our Administrative Code.

The Ramona Boulevard grade separation project has experienced several third party delays which have added a net total of 252 compensable days to the contract duration.

Beginning in December 2005 we experienced Union Pacific Railroad (UPRR) and Metrolink delays which extended the contractor's critical path schedule. There was delay in construction and activation of a crossover track between the two railroads east of the project, and subsequent delay in construction of shoofly detour tracks for both UPRR and Metrolink. UPRR activated its shoofly in March 2006, at which point Metrolink could complete their shoofly track construction. Metrolink activated its shoofly in May 2006.

The other source of major critical path delay was relocation of underground telephone and data communications lines. Ramona Blvd. had two major criss-crossing underground communications ducts, both of which tie into a nearby regional switching center, which had to be relocated. As the Ramona project began, Pacific Bell was the primary player in the relocation. The transition from Pacific Bell into SBC, followed by the subsequent merger of SBC into AT&T, disrupted organizational, lessor-lessee and

corporate authority relationships. (AT&T/SBC did their work at their cost under their street franchise with the City of El Monte.) These corporate mergers created more delay. AT&T/SBC completed their work in August 2006.

Collectively, prime contractor extended overhead costs and subcontractor change and escalation costs due to delay address the above matters total \$1,493,860. While allocating the overall delay between the two main causes is imprecise, about half of the delay is attributable to railroad delays and half to telecom relocation.

The cumulative totals of all approved change orders and estimated change costs projected to completion of the underpass are as follows:

Original Contract Value:	\$17,721,475
Present Contract Value (excluding Metrolink betterment)	\$19,169,718
- Railroad/AT&T delay cost:	\$1,493,860
- Other anticipated changes (est.)	\$ 789,000
- Expected unused quantities & allowances (est.)	<u>(\$ 522,000)</u>
Estimated Final Contract Value	\$20,930,578
Percent of original contract value	18.1%

To summarize, we are asking for a supplemental contract authorization in the amount of \$1,436,955 which is slightly less than the amount associated with the UPRR, Metrolink and AT&T/SBC delays. Approval of this additional authorization would result in a total contingency authorization of 18.1%.

BUDGET IMPACT: Funds for the anticipated costs are available from State grant funds (TCRP) and MTA Proposition C funds included in the Authority's approved budget.



Alameda Corridor-East Construction Authority

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MEMO TO: ACE Construction Authority Board Members and Alternates

FROM: Rick Richmond
Chief Executive Officer

DATE: November 26, 2007

SUBJECT: Approval of Contract Amendment for Design Services During Construction
for Ramona Boulevard Grade Separation with DMJM+Harris

RECOMMENDATION: Staff recommends that the Board authorize the Chief Executive Officer to amend the contract with DMJM+Harris to add \$28,260 for design services during construction of the Ramona Boulevard grade separation, for a new contract value of \$3,266,322, and extend the completion date of the contract through April 2008.

BACKGROUND: In March 2004 you approved a contract amendment with DMJM+Harris for design support services during construction of the Ramona Boulevard underpass in the City of El Monte. The amendment provided a design support services budget of \$440,000, resulting in an overall executed contract value of \$3,000,577. Subsequent amendments provided \$210,751 for designing additional abutments for a future Metrolink bridge and changes in the pumphouse, streetlighting system and the core project bridges resulted in the current contract value is \$3,211,328. The cost of the Metrolink bridge abutment design (\$129,966) was paid by Metrolink.

Construction of the Ramona Blvd. underpass began in December 2004. DMJM + Harris has been responding to contractor's questions, reviewing shop drawings and other contractor submittals, preparing design changes, attending on-site meetings and performing other tasks. In addition, DMJM + Harris provided design support services during advertising, bid and award of the Ramona project prior to construction. In 2004 the advertise/bid/award and construction periods were together estimated to be approximately 33 months.

The Ramona Boulevard underpass project is taking longer to complete due to delays in UPRR and Metrolink shoofly track construction and relocation of two major underground AT&T/SBC telephone and data communications trunk lines. Additionally, redesign of retaining wall footings has been required to relocate foundation piles around railroad fiber optic telecommunications lines. These fiber optic lines could only be positively located after mass excavation under the railroad bridges was completed. Other project elements requiring increased design support services have including pumphouse roof and equipment door redesign, UPRR future bridge center column, a temporary shopping center driveway, shopping center parking lot restoration, and median barrier wall redesign under the bridges.

DMJM+Harris is the designer of the Ramona Boulevard Underpass and should be available to review and respond to questions that may arise throughout the remainder of its construction and the punchlist/closeout phase of the project.

The history of this contract is as follows:

Ramona Blvd. Grade Separation

Board Action	Authorization	Executed Amount
Contract Award	\$1,552,522	\$1,552,522
Amendment 1	\$150,915	\$150,915
Amendment 2	\$271,353	\$265,910
Amendment 4/6	\$612,272	\$592,276
Amendment 7	\$440,000	\$438,954
Amendment 8	\$130,000	\$129,966
Amendment 9/10	\$81,000	\$80,785
This Request	\$28,260	\$54,994
Total	\$3,266,322	\$3,266,322

BUDGET IMPACT: Funds for these contracts are available from grant funds (Federal and State funds) and have been included in the adopted budget.



Alameda Corridor-East Construction Authority

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MEMO TO: ACE Construction Authority Board Members and Alternates

FROM: Rick Richmond
Chief Executive Officer

DATE: November 26, 2007

SUBJECT: Final Acceptance of Nogales Street Grade Separation Project &
Close-out of Contract with Brutoco Engineering & Construction, Inc.

RECOMMENDATION: It is recommended that the Board accept the Nogales Grade Separation project as being completed in conformance with the project plans and specifications, with final closeout of the construction contract.

BACKGROUND: At your March 2003, meeting, the Board authorized Contract 02-08 with Brutoco Engineering & Construction, Inc. for the Nogales Street Grade Separation Project in the Cities of West Covina and Industry, in the amount of \$15,710,677. The grade separation was open to traffic on August 28, 2005. The work described in the project plans and specifications was substantively completed by February 25, 2006. In October 2006 you partially accepted the Nogales project, contingent on transfer of operation and maintenance responsibilities to host jurisdictions and final closeout of the construction contract.

Operation and maintenance of the project has been transferred to participating agencies, as follows:

- Cities of Industry and West Covina – primary local jurisdictions. Streets, bridges[1], sidewalks, local sewers, landscaping.
- Los Angeles County Department of Public Works
 - Flood Maintenance Division – Storm water sewers and pumphouse (through city services agreement[2])
 - Operational Services Division – traffic signals (city services agreement)
- Los Angeles County Sanitation Districts – trunk sewer
- Union Pacific Railroad – railroad bridge superstructure
- Various companies and agencies – water, gas, electrical and communications utilities.

-
1. Valley Blvd. bridge, and railroad bridge substructure
 2. An internal LACDPW assignment of pumphouse responsibilities involving Programs Management, Construction and Flood Maintenance Divisions, and the city services agreement for the pumphouse, are pending.

After construction was completed, the contract with Brutoco remained open pending resolution of several potential claims. During late 2006 and early 2007 several attempts were made to resolve these potential claims on an informal level. On June 4, 2007, Brutoco formalized its claims by filing suit in Los Angeles Superior Court, East District. On October 9, 2007, a successful mediation led to the execution of a settlement agreement on October 31, 2007.

The construction contract amounts are as follows:

Original Contract Value:	\$15,710,677
Change Order	<u>\$1,486,504</u>
Total Contract Value	\$17,197,181
Change order percentage	9.5%

The project was completed within the contingency authority provided to the Chief Executive Officer by ACE's Administrative Code. Therefore, staff requests that the Board approve final contract closeout and accept the Nogales Street underpass project as completed.

The DBE subcontracting commitment from Brutoco at contract award was 7%. The actual DBE subcontracting participation attained was 6%. The reduction is due to the fact that one of the DBE subcontractors was acquired by a non-DBE firm during the contract period, and its work could not be counted towards the DBE goal.

BUDGET IMPACT:

The final contract value is \$17,197,181, which is within the Authority's approved budget for this project.

3. Includes Change Order No. 024 in the amount of \$(396,454.47) to reconcile contract bid quantities, and Change Order No. 025, which represents the Settlement.



Alameda Corridor-East Construction Authority

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MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Rick Richmond
Chief Executive Officer

DATE: November 26, 2007

SUBJECT: Approval of Proposition 1B Trade Corridor Improvement Fund (TCIF)
Grant Application Submittal

RECOMMENDATIONS: Staff recommends that you authorize the Chief Executive Officer to take the necessary administrative steps to file a Prop 1B TCIF grant application in accordance with guidelines still under development by the California Transportation Commission (CTC). The application for \$350 million TCIF Prop 1B funding request will be consistent with action taken by the ACE Board at their December, 2006 meeting authorizing staff to begin seeking funding for Phase II projects.

BACKGROUND: Staff has regularly reported on the meetings surrounding the development of the Prop 1B TCIF guidelines for administering the \$2 billion goods movement program. Staff has worked with other Southern California transportation agencies in developing a Southern California consensus regarding basic principles of the program, along with a \$1.7 billion project list (ACE-SGV is included for \$350 million).

It was anticipated that the CTC would adopt guidelines last week at their meeting to set a schedule and guidance regarding the application process. No action was taken.

As a result, of the above discussions, the CTC directed their Executive Director John Barna and Caltrans Director Will Kempton to meet with the regions to try to develop a consensus by the November 27th CTC meeting on regional minimum allocations, revised guidelines, and project evaluation criteria. The CTC would then act on guidelines at their December 12-13th meeting in Sacramento. Since that time, Secretary has also invited local agency representatives to meet with him on November 19th and 20th to seek a consensus.

Based upon the rapidly changing and short turnaround schedule, it is entirely possible that the TCIF applications will be due prior to the next ACE Board meeting. It is in the ACE Construction Authority's best interest to begin preparing a draft Prop 1B TCIF funding application based upon the draft guidelines and make adjustments to the

information when the final guidelines are adopted in case the submittal due date is very short (10 days under current schedule in draft guidelines).

For these reasons, it is recommended that the Board authorize staff to submit the necessary administrative application request information for a TCIF application of up to \$350 million. The application will be consistent with the adopted ACE and SGVCOG Board action of December, 2006 (Attachment).



Alameda Corridor-East Construction Authority

ATTACHMENT

4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

MEMO TO: ACE Board Members and Alternates

FROM: Rick Richmond
Chief Executive Officer

DATE: December 18, 2006

SUBJECT: Approval of Revised Project Cost Estimate and Priority Program for State and Local Funding

RECOMMENDATIONS

1. Approve the revised cost estimate for the ACE project describe below and request that the San Gabriel Valley Council of Governments also adopt it.
2. Adopt a Phase II priority program consisting of the San Gabriel trench and two additional grade separations to be determined once available funding is known
3. Authorize staff to request the maximum amount of MTA and State bond funding for any currently unfunded grade separation projects, consistent with the guidelines of the respective programs.
4. Authorize staff to continue to process the San Gabriel environmental document and obtain environmental clearance for the two additional grade separations.
5. Authorize staff to solicit design proposals as necessary for the Phase II priority projects.

BACKGROUND

As we approach the point at which all Phase I projects are being implemented (the Baldwin Ave. project in El Monte is the last to move into property acquisition/construction), and there are prospects of additional resources to move into Phase II of the project, it is timely to review and revise as necessary past schedules and cost estimates and make plans for moving forward into Phase II.

The ACE Project was adopted by the San Gabriel Valley Council of Governments in 1997. The project cost was estimated at \$950 million in 1997 dollars. An aggressive project implementation plan was subsequently proposed which called for the project to be fully funded by June 2004.

The project has obviously evolved quite differently. We have attempted to respond to changed circumstances and unforeseen problems as effectively as possible, but impacts on the overall project schedule and cost have been unavoidable. We have reported to the Board on a quarterly basis our best estimate of the cost and schedule of Phase I but have not, to date, attempted to speculate on the effect of what we have experienced with Phase I will be on Phase II, and therefore the overall project.

Schedule - The goal of completing the project by 2008, set in 1997, cannot be met. As mentioned earlier, this would have required obtaining all required funding by June 2004. We are very proud of the fact that we have secured \$562 million for the project to date, but we have experienced significant delays in much of this funding being available, and it has fallen short of our expectations in the aggregate. Based on this experience, we believe it is too speculative to set a new overall completion date at this point.

Cost - The initial project cost estimate was made in 1997 based on conceptual definitions of the various project elements (Project Study Report). A number of the project components have been redefined or shifted between phases, either to address obstacles or produce a more cost effective project. While the original concept cost estimates included contingencies, they have not come close to covering the effect of unaccounted for costs or changed circumstances, particularly on the grade separations. We have analyzed the eight Phase I grade separations which have stayed relatively close in design concept from the beginning of the project to assess the magnitude of cost changes and the most common reasons. The most significant factors increasing our project cost have been:

1. **Inflation** - As mentioned above, the 1997 cost estimate did not include inflation allowances. While the rate of construction inflation in the early years of the project was relatively modest, it has increased severely in the last few years. Caltrans composite construction inflation index for the period 1997-2006 shows costs 113% higher today than in 1997.
2. **Agency Overhead** - The original cost estimates included a combined allowance for all professional services (engineering, CM, and project management) of 25% but did not provide for agency overhead. Since we have no source of revenue other than project funding we have to cover our costs not directly charged to projects from the project budgets through an approved overhead rate. We have attempted to keep this cost to a minimum, and it has been running about 6-8% over the last few years, nevertheless over the seven years we have been in operation, these costs now total about \$22.6 million.
3. **UPRR Force Account** - Track and signal system reconstruction on the operating railroad, as well as flagging protection, must be performed by the UPRR and is only done on a fully reimbursable basis. The original project cost estimate included a total of \$21 million for the eight Phase I grade separations. We currently estimate that total to be \$50 million.
4. **Real Estate/Relocation** - The original cost estimate identified anticipated real estate requirements and included a total allocation of \$8 million for the eight

grade separations. Our current estimate for real estate acquisition, relocation and agency costs (administrative and legal) for the eight grade separations is \$69 million.

5. **Scope Changes** - While we have avoided "scope creep" for the most part, a glaring exception has been in the requirements imposed on us by the UPRR. UPRR has insisted on capacity expansion elements at every one of our Phase I grade separations, ranging from relatively modest abutment expansion to major capacity expansion as in the Temple project. Often these additional elements came after project design was well advanced so they had the added effect of delaying the project. While we have typically tried to resist them or lessen their impact, it always comes down to the trade off of letting a project languish or accede to the best deal we can get. We estimate the total cost of UPRR capacity enhancements on Phase I at \$24 million.

As can be seen, the dollar cost of the above factors has been major. We have attempted to cope with them by early project concept changes which saved cost. In addition we have moved some project components (and one project) from Phase I into Phase II which has kept the Phase I cost down but not reduced the cost of the total project. When we make an "apples-to-apples" comparison of Phase I grade separations from our early estimates (Jan. 2001) to our current estimates, we find the average of the project cost increases to be 64%. If we apply that experience to our residual Phase II cost estimate from the 1997 total project cost estimate, we have a Phase II estimate of approximately \$918 million and a total project cost estimate of \$1.404 billion.

This is a coarse method of estimating Phase II costs. The average Phase I cost increase masks large discrepancies between individual project increases and our experience on these projects should make better cost control possible. On the other hand, we don't have specific designs for the Phase II projects and this estimate does not include a future inflation factor which can't be estimated without making very speculative assumptions about the pace of future funding.

Potential Additional Funding Opportunities

The ACE Project should be eligible to apply for the recently enacted Prop 1B funds where \$2 billion was earmarked for goods movement projects. Another \$1 billion was included in Prop 1B bond for environmental mitigation projects related to trade growth. ACE expects to be able to apply for those funds as well. A 50% match is required. We have taken several steps to be prepared for the state funding program getting underway. Staff has updated Phase II costs estimates as noted above. Staff has also reviewed the environmental status of Phase II projects and will be updating the draft documents. Also, staff has worked with the other counties, the environmental agencies, and the business communities to discuss the reasons and benefits of including ACE

Phase II projects for consideration of state bond funding. Staff has also discussed with MTA staff the potential for additional local funds as a result of the above cost increases and the need to match state bond funds. MTA is reviewing that request.

Given the state budget process, it is likely funding requests/applications could be required as early as January. As a result, it is timely to discuss with the Board which currently unfunded projects would meet potential project criteria. From discussions with agency staff, project readiness will also be a key selection criteria.

Proposed Phase II Priorities

There are ten grade separations in Phase II yet to be funded. In addition, the Nogales (UP) underpass has been designed by ACE under contract to the County. The project is ready for right-of-way and construction but costs estimates for construction exceed committed funding. The County of LA is seeking MTA Call for Project funding. Those decisions will not be known until July, 2007.

Ideally, ACE would seek bond funding for all ten grade separations plus Nogales. However, the competition will be intense and that expectation is unrealistic. Taking into consideration the likely project selection and project readiness criteria noted above. Staff recommends Board adoption of a Phase II priority program consisting of:

- San Gabriel trench
- Two additional grade separations to be determined once available funding is known.

In order to pursue this program, Board authorization is requested to:

1. Request the maximum amount of MTA and State bond funding for any currently unfunded grade separation projects, consistent with the guidelines of the respective funding programs;
2. Continue to process the San Gabriel environmental document through Caltrans/FHWA approval and obtain environmental clearance for the two additional grade separations; and,
3. Solicit design proposals as necessary for the Phase II priority projects.